

## Planning Commission Minutes

*Tuesday, September 8, 2020 – 6:30 PM • Chambers*

| Item  | Presented By: | Action   | Topic  | Report   |
|---|---------------|--|--|--|
| <b>Call to Order &amp; Roll Call</b>                | Steve Simiele | <b>Commission Members:</b><br>Steve Simiele, Resident & Chair<br>Matt Boettcher, Vice Chair; Council Member<br>David Blathers, Resident<br>Jim Puthoff, Resident<br>Matt Scott, Business Owner & Resident<br><br><b>Advisors:</b><br>Ron Hirth, Administrator & Resident<br>Terry Donnellon, Solicitor |  | Mr. Simiele called the meeting to order at 6:30 PM EST.<br>All members present.  |
| <b>Set the Agenda &amp; Adopt</b>                   | Mr. Simiele   | Review & Motion  |  | Motion to adopt the agenda by: Mr. Puthoff<br>Second by: Mr. Blathers<br>All voted in favor.   |
| <b>Persons Registered to Address the Commission</b> | None          |  | None   |  |
| <b>Minutes to be Approved</b>                       |               | Review & Motion  | Approve minutes from last meeting on February 3, 2020. | Planning Commission Minutes for 2/3/2020<br><br>Motion to approve by: Mr. Puthoff<br>Second by: Mr. Boettcher<br>All voted in favor. |
| <b>Discussion</b>                                   |               |  |  |  |

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| <p><b>Hearing</b></p> | <p>Mr. Simiele &amp; Mr. Donnellon</p> |  | <p>6258 Elbrook Ave. – Seeking a variance after-the-fact for a 6 – ft. fence and driveway built on the property.</p> | <p><b>Variance Request:</b> Mr. Abner is a new resident to Golf Manor and has constructed an additional driveway on the left side of his property, as well as a 6-ft. fence without receiving an approved Zoning Certificate to do so.</p> <p>Mr. Abner appeared before the Commission to request a variance for the driveway he already installed along the side of his home. He admitted he was confused when no Building Permit was required and thought that was the only approval he needed. It was pointed out that his driveway is not in compliance with the Code requirements restricting parking areas to rear yard only, and it may not be in compliance with the Code requirements for an accessory structure setback. Code § 1129.03 requires a three (3) foot minimum; whereas, Code § 1129.09 requires an eight (8) foot minimum. The Planning Commission did not require a formal survey, but reminded Mr. Abner that he should survey the setback to be sure he is not encroaching on his neighbor’s property. Visually looking at the fence he had installed, and assuming the fence is along the property line as others had testified, the Planning Commission believed it met the three (3) foot minimum setbacks.</p> <p>Det. Jill Matthews, Property Maintenance Official, stated the she has previous discussions with Mr. Abner about the requirements to build the driveway.</p> <p>The Planning Commission was willing to grant the variance as it was pointed out Mr. Abner’s lot is approximately one and one-half times the minimum lot requirements for the district, and there was a similar driveway extension installed several years ago within the same block also on a one and one-half wide lot. Based upon having the additional property and the precedent which may previously have been set, the Planning Commission was willing to accept the variance for Mr. Abner’s property, but advised that this should not be considered a precedent to allow front yard parking or side yard parking which is not in compliance with the Code.</p> |
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|  |  |  |  | <p>The Planning Commission also expressed its concern that the safe use of the driveway would require that the drive be extended to the street, modifying the apron, and that the curb cut for 6258 Elbrook be widened. The Planning Commission was willing to accept that extension of his driveway and the extension of the curb cut so long as the construction was completed within one year.</p> <p>Mr. Abner advised that a second variance requested for the height of his fence has been withdrawn as he has cut the fence down to a four-foot height.</p> <p>Three different neighbors testified at the hearing, all of whom supported Mr. Abner's variance:</p> <p>Mr. Dubose at 6259 Elbrook advised that he also has a driveway extension and also has his home situated on a one and one-half width lot. He said that has existed for many years since he and his wife bought the property. He supported the variance</p> <p>Zach Frank at 6255 Elbrook supported the variance.</p> <p>Brittney Kreimer at 6254 Elbrook Avenue also supported the variance.</p> <p>Both Frank and Kreimer lauded Mr. Abner for his workmanship and the way he has brought the property up to date.</p> <p>A letter will be sent to Mr. Abner following the hearing confirming the variance and the additional condition that the curb cut extension and the driveway extension be completed within one year</p> <p>Motion to grant variance for construction of driveway with condition of modifying driveway apron at the street to conform with the width of the driveway by Mr. Puthoff.<br/>Second by Mr. Simiele<br/>All voted in favor.</p> |
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| <b>Old Business</b>  |  |  |  |   |
| <b>New Business</b>  |  |  |  |   |
| <b>Announcements</b> |  |  |  | Next meeting is scheduled for Monday, October 5, 2020 @ 6:30 PM pending any business for consideration. |
| <b>Adjourn</b>       |  |  |  | Motion to adjourn at 7:20 PM DST by Mr. Boettcher<br>Second by: Mr. Puthoff<br>All voted in favor.      |

\_\_\_\_\_ Date: \_\_\_\_\_  
Submitted by Ron Hirth, Administrator

\_\_\_\_\_ Date: \_\_\_\_\_  
Steve Simiele, Planning Commission Chair

\_\_\_\_\_ Date: \_\_\_\_\_  
Anna Gedeon, Asst. Clerk